



Docket No.: 243071US0

COMMISSIONER FOR PATENTS
ALEXANDRIA, VIRGINIA 22313



ATTORNEYS AT LAW

RE: Application Serial No.: 10/665,283
Applicants: Renaud DERAND, et al.
Filing Date: September 22, 2003
For: ION CHANNEL HYBRID PROTEINS AS
ELECTRICAL SENSORS AND USE THEREOF
Group Art Unit: 1636
Examiner: Dunston, J.A.

SIR:

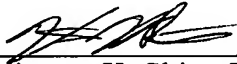
Attached hereto for filing are the following papers:

Response to Restriction and Election of Species Requirement

Our check in the amount of \$0.00 is attached covering any required fees. In the event any variance exists between the amount enclosed and the Patent Office charges for filing the above-noted documents, including any fees required under 37 C.F.R. 1.136 for any necessary Extension of Time to make the filing of the attached documents timely, please charge or credit the difference to our Deposit Account No. 15-0030. Further, if these papers are not considered timely filed, then a petition is hereby made under 37 C.F.R. 1.136 for the necessary extension of time. A duplicate copy of this sheet is enclosed.

Respectfully submitted,

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IN THE UNITED STATES PATENT & TRADEMARK OFFICE

RE APPLICATION OF

:

RENAUD DERAND, ET AL.

: EXAMINER: DUNSTON, J. A.

SERIAL NO: 10/665,283

:

FILED: SEPTEMBER 22, 2003

: ART UNIT: 1636

FOR: ION CHANNEL HYBRID PROTEINS AS ELECTRICAL SENSORS AND USE THEREOF

RESPONSE TO RESTRICTION AND
ELECTION OF SPECIES REQUIREMENT

COMMISSIONER FOR PATENTS
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SIR:

In response to the Restriction and Election of Species Requirement, Applicants provisionally elect Group I, Claims 1-29, 34, 35, 45 and 46, with traverse, for further examination. Applicants also elect, with traverse, the following Species: sub-species type (a) – spacer, sub-species type (b) – MRP1, and sub-species type (c) – Kir6.2. Claims 1-3, 5-13, 15, 19-25, and 30-46 read on the elected Species.

REMARKS

The Examiner's position is that the claims of the present application can be restricted to distinct inventions as follows:

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| Group I: | Claims 1-29, 34, 35, 45 and 46, drawn to a hybrid protein consisting essentially of the fusion of a membrane protein with and ion channel; a host cell expressing the hybrid protein; and a kit comprising the hybrid protein; |
| Group II: | Claims 30, 31, and 33, drawn to a polynucleotide encoding said hybrid protein; |